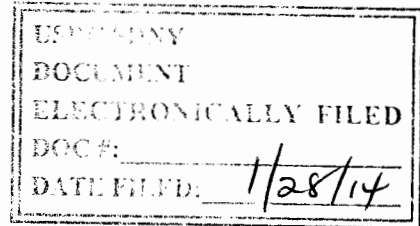


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



JAMES H. FISCHER,

Plaintiff,

-v-

STEPHEN T. FORREST, SANDRA F. FORREST,

Defendants.

14 Civ. 1304 (PAE)

14 Civ. 1307 (PAE)

ORDER

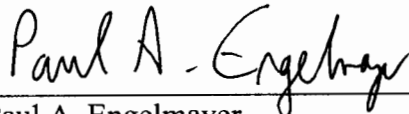
PAUL A. ENGELMAYER, District Judge:

On January 22, 2015, *pro se* plaintiff James Fischer moved for leave to add Shane Gebauer as a defendant. 14 Civ. 1304, Dkt. 48; 14 Civ. 1307, Dkt. 68. “The Federal Rules provide that courts ‘should freely give leave [to amend] when justice so requires.’” *Kroshnyi v. U.S. Pack Courier Servs., Inc.*, 771 F.3d 93, 109 (2d Cir. 2014) (quoting Fed. R. Civ. P. 15(a)(2)). Additionally, Rule 20 provides that joinder is appropriate where “any right to relief is asserted against them jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences,” and “any question of law or fact common to all defendants will arise in the action.” Fed. R. Civ. P. 20(a)(2). As alleged, Fischer’s claims against Gebauer arise out of the same facts as his claims against Stephen and Sandra Forrest, the defendants presently named in these related cases. *See* Dkt. 48. The Court therefore grants Fischer’s motion for leave to add Gebauer as a defendant.

By February 4, 2015, Fischer is directed to file a second amended complaint. Fischer is further directed to serve the amended pleading on Gebauer forthwith so that Judge Pitman can set a discovery schedule for all parties.

The Clerk of Court is directed to terminate the motions pending at docket numbers 14 Civ. 1304, Dkt. 48 and 14 Civ. 1307, Dkt. 68.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: January 28, 2015
New York, New York